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LONDON AND PARIS AGREEMENTS

September - October 1954

DEPARTMENT OF EXTERNAL AFFAIRS
OTTAWA, CANADA

Conference Series 1955, No. 1

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EDMOND CLOUTIER, C.M.G., O.A., D.S.P.
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CONTENTS

	PAGE
FOREWORD	5
I. FINAL ACT OF THE NINE-POWER CONFERENCE HELD IN LONDON, SEPTEMBER 28-OCTOBER 3, 1954.....	7
Annex I: Draft Declaration and Protocol to the Brussels Treaty	17
Annex II A: Extemporaneous Statement by the United States Secretary of State at the Fourth Plenary Meeting..	19
Annex II B: Statement by the United Kingdom Secretary of State at the Fourth Plenary Meeting.....	22
Annex II C: Statement by the Canadian Minister for External Affairs at the Fourth Plenary Meeting.....	24
Annex III: Conference Paper on "A German Defence Contri- bution and Arrangements to apply to SACEUR'S Forces on the Continent".....	26
II. PARIS DOCUMENTS RELATING TO THE NORTH ATLANTIC TREATY ORGANIZATION	28
Protocol to the North Atlantic Treaty on the Accession of the Federal Republic of Germany.....	28
Resolution to Implement Section IV of the Final Act of the London Conference concerning measures to strengthen the structure of NATO	29
Resolution on the Results of the Four- and Nine-Power Meetings....	32
Resolution of Association with the Tripartite Declaration of October 3, 1954	33
Annex A: Statement of association by Mr. Pearson at the Minis- terial Meeting of the North Atlantic Council, October 22, 1954	34
III. PARIS DOCUMENTS RELATING TO THE WESTERN EUROPEAN UNION (See Para. 3 of Foreword).....	35
IV. PARIS DOCUMENTS RELATING TO THE TERMINATION OF THE OCCUPATION REGIME IN THE FEDERAL REPUBLIC OF GER- MANY	36
Convention on the Presence of Foreign Forces in the Federal Republic of Germany.....	36
Protocol on the Termination of the Occupation Regime in the Federal Republic of Germany.....	37
Résumé of the Five Schedules Attached to the Protocol (see para. 2 of Foreword).....	39

FOREWORD

This publication contains a selection of agreed documents resulting from the Nine-Power meeting held in London and the Four-Power, Nine-Power and North Atlantic Council meetings held in Paris from September 28 to October 23, 1954, including the Protocol to the North Atlantic Treaty on the Accession of the Federal Republic of Germany, to which Canada is a party.

The five schedules to the Protocol on the Termination of the Occupation Regime in the Federal Republic of Germany are lengthy and require to be read in conjunction with the related Conventions between the Three Powers and the Federal Republic of Germany, signed at Bonn, May 1952, which they amend. These schedules therefore have not been printed herewith, but the principal modifications made under each schedule to the original Conventions have been summarized on pages 39 and 40.

Section III contains an explanatory note regarding those of the Paris documents relating to the Western European Union. These have not been reproduced in full since they elaborate in greater detail the agreement already embodied in Section II of the Final Act of the Nine-Power Conference held in London, September 28-October 3, 1954.

Included as Annex A to the Resolution of Association with the Tripartite Declaration of October 3, 1954, is the text of the statement of association made by Mr. Pearson, Secretary of State for External Affairs, on behalf of the Government of Canada, at the Ministerial Meeting of the North Atlantic Council, October 22, 1954.

I.—THE FINAL ACT OF THE NINE-POWER CONFERENCE HELD IN LONDON BETWEEN THE TWENTY-EIGHTH OF SEPTEMBER AND THE THIRD OF OCTOBER, NINETEEN HUNDRED AND FIFTY-FOUR

The Conference of the Nine Powers, Belgium, Canada, France, the Federal Republic of Germany, Italy, Luxembourg, Netherlands, the United Kingdom of Great Britain and Northern Ireland and the United States met in London from Tuesday the Twenty-eighth of September, Nineteen hundred and Fifty-four, to Sunday the Third of October, Nineteen hundred and Fifty-four. It dealt with the most important issues facing the Western world, security and European integration within the framework of a developing Atlantic community dedicated to peace and freedom. In this connexion the Conference considered how to assure the full association of the Federal Republic of Germany with the West and the German Defence contribution.

Belgium was represented by His Excellency Monsieur P-H. SPAAK.

Canada was represented by the Honourable L. B. PEARSON.

France was represented by His Excellency Monsieur P. MENDÈS-FRANCE.

The Federal Republic of Germany was represented by his Excellency Dr. K. ADENAUER.

Italy was represented by His Excellency Professor G. MARTINO.

Luxembourg was represented by His Excellency Monsieur J. BECH.

The Netherlands was represented by His Excellency J. W. BEYEN.

The United Kingdom of Great Britain and Northern Ireland was represented by the Rt. Hon. A. EDEN, M.C., M.P.

The United States of America was represented by the Honourable J. F. DULLES

All the decisions of the Conference formed part of one general settlement which is, directly or indirectly, of concern to all the North Atlantic Treaty Organization Powers, and which will therefore be submitted to the North Atlantic Council for information or decision.

I.—Germany

The Governments of France, the United Kingdom and the United States declare that their policy is to end the Occupation régime in the Federal Republic as soon as possible, to revoke the Occupation Statute and to abolish the Allied High Commission. The Three Governments will continue to discharge certain responsibilities in Germany arising out of the international situation.

It is intended to conclude, and to bring into force as soon as the necessary parliamentary procedures have been completed, the appropriate instruments for these purposes. General agreement has already been reached on the content of these instruments, and representatives of the Four Governments will meet in the very near future to complete the final texts. The agreed arrangements may be put into effect either before or simultaneously with the arrangements for the German defence contribution.

As these arrangements will take a little time to complete, the Three Governments have in the meantime issued the following Declaration of Intent:—

“Recognizing that this great country can no longer be deprived of the rights properly belonging to a free and democratic people; and

Desiring to associate the Federal Republic of Germany on a footing of equality with their efforts for peace and security;

The Governments of France, the United Kingdom, and the United States of America desire to end the Occupation régime as soon as possible.

The fulfilment of this policy calls for the settlement of problems of detail in order to liquidate the past and to prepare for the future, and requires the completion of appropriate Parliamentary procedures.

In the meantime, the Three Governments are instructing their High Commissioners to act forthwith in accordance with the spirit of the above policy. In particular, the High Commissioners will not use the powers which are to be relinquished unless in agreement with the Federal Government, except in the fields of disarmament and demilitarization and in cases where the Federal Government has not been able for legal reasons to take the action or assume the obligations contemplated in the agreed arrangement.”

II.—Brussels Treaty

The Brussels Treaty will be strengthened and extended to make it a more effective focus of European integration.

For this purpose the following arrangements have been agreed upon:—

- (a) The Federal Republic of Germany and Italy will be invited to accede to the Treaty, suitably modified to emphasize the objective of European unity, and they have declared themselves ready to do so. The system of mutual automatic assistance in case of attack will thus be extended to the Federal Republic of Germany and Italy.
- (b) The structure of the Brussels Treaty will be reinforced. In particular the Consultative Council provided in the Treaty will become a Council with powers of decision.
- (c) The activities of the Brussels Treaty Organization will be extended to include further important tasks as follows:—

The size and general characteristics of the German defence contribution will conform to the contribution fixed for EDC.

The maximum defence contribution to NATO of all members of the Brussels Treaty Organization will be determined by a special agreement fixing levels which can only be increased by unanimous consent.

The strength and armaments of the internal defence forces and the police on the Continent of the countries members of the Brussels Treaty Organization will be fixed by agreements within that organization, having regard to their proper functions and to existing levels and needs.

The Brussels Treaty Powers agree to set up, as part of the Brussels Treaty Organization, an Agency for the control of armaments on the Continent of Europe of the continental members of the Brussels Treaty Organization. The detailed provisions are as follows:—

1. The functions of the Agency shall be:—

- (a) to ensure that the prohibition of the manufacture of certain types of armaments as agreed between the Brussels Powers is being observed;

(b) to control the level of stocks held by each country on the Continent of the types of armaments mentioned in the following paragraph. This control shall extend to production and imports to the extent required to make the control of stocks effective.

2. The types of armament to be controlled under 1 (b) above shall be:—

(a) weapons in categories I, II and III listed in Annex II to Article 107 of the EDC Treaty;

(b) weapons in the other categories listed in Annex II to Article 107 of the EDC Treaty;

(c) a list of major weapons taken from Annex I to the same Article, to be established hereafter by an expert working group.

Measures will be taken to exclude from control materials and products in the above lists for civil use.

3. As regards the weapons referred to under paragraph 2 (a) above, when the countries which have not given up the right to produce them have passed the experimental stage and start effective production, the level of stocks that they will be allowed to hold on the Continent shall be decided by the Brussels Treaty Council by a majority vote.

4. The continental members of the Brussels Treaty Organization agree not to build up stocks nor to produce the armaments mentioned in paragraph 2 (b) and (c) beyond the limits required (a) for the equipment of their forces, taking into account any imports including external aid, and (b) for export.

5. The requirements for their NATO forces shall be established on the basis of the results of the Annual Review and the recommendations of the NATO military authorities.

6. For forces remaining under national control, the level of stocks must correspond to the size and mission of those forces. That level shall be notified to the Agency.

7. All imports or exports of the controlled arms will be notified to the Agency.

8. The Agency will operate through the collation and examination of statistical and budgetary data. It will undertake test checks and will make such visits and inspections as may be required to fulfil its functions as defined in paragraph 1 above.

9. The basic rules of procedure for the Agency shall be laid down in a Protocol to the Brussels Treaty.

10. If the Agency finds that the prohibitions are not being observed, or that the appropriate level of stocks is being exceeded, it will so inform the Brussels Council.

11. The Agency will report and be responsible to the Brussels Council which will take its decisions by a majority vote on questions submitted by the Agency.

12. The Brussels Council will make an Annual Report on its activities concerning the control of armaments to the Delegates of the Brussels Treaty Powers to the Consultative Assembly of the Council of Europe.

13. The Governments of the United States of America and Canada will notify the Brussels Treaty Organization of the military aid to be distributed to the continental members of that Organization. The Organization may make written observations.

14. The Brussels Council will establish a Working Group in order to study the draft directive presented by the French Government and any other papers which may be submitted on the subject of armaments production and standardization.

15. The Brussels Treaty Powers have taken note of the following Declaration of the Chancellor of the Federal Republic of Germany and record their agreement with it:

The Federal Chancellor declares:

that the Federal Republic undertakes not to manufacture in its territory any atomic weapons, chemical weapons or biological weapons, as detailed in paragraphs I, II and III of the attached list;

that it undertakes further not to manufacture in its territory such weapons as those detailed in paragraphs IV, V and VI of the attached list. Any amendment to or cancellation of the substance of paragraphs IV, V and VI can, on the request of the Federal Republic, be carried out by a resolution of the Brussels Council of Ministers by a two-thirds majority, if in accordance with the needs of the armed forces a request is made by the competent supreme Commander of NATO;

that the Federal Republic agrees to supervision by the competent authority of the Brussels Treaty Organization to ensure that these undertakings are observed.

List Appended to the Declaration by the Federal Chancellor

This list comprises the weapons defined in paragraphs I to VI and the factories earmarked solely for their production. All apparatus, parts, equipment, installations, substances and organisms which are used for civilian purposes or for scientific, medical and industrial research in the fields of pure and applied science shall be excluded from this definition.

I.—Atomic Weapons

(a) An atomic weapon is defined as any weapon which contains, or is designed to contain or utilize, nuclear fuel or radioactive isotopes and which, by explosion or other uncontrolled nuclear transformation of the nuclear fuel, or by radioactivity of the nuclear fuel or radioactive isotopes, is capable of mass destruction, mass injury or mass poisoning.

(b) Furthermore, any part, device, assembly or material especially designed for, or primarily useful in, any weapon as set forth under paragraph (a), shall be deemed to be an atomic weapon.

(c) Nuclear fuel as used in the preceding definition includes plutonium, Uranium 233, Uranium 235 (including Uranium 235 contained in Uranium enriched to over 2·1 per cent, by weight of Uranium 235) and any other material capable of releasing substantial quantities of atomic energy through nuclear fission or fusion or other nuclear reaction of the material. The foregoing materials are considered to be nuclear fuel regardless of the chemical or physical form in which they exist.

II.—Chemical Weapons

(a) A chemical weapon is defined as any equipment or apparatus expressly designed to use, for military purposes, the asphyxiating, toxic, irritant, paralysant, growth-regulating, anti-lubricating or catalyzing properties of any chemical substance.

(b) Subject to the provisions of paragraph (c), chemical substances, having such properties and capable of being used in the equipment or apparatus referred to in paragraph (a), shall be deemed to be included in this definition.

(c) Such equipment or apparatus and such quantities of the chemical substances as are referred to in paragraphs (a) and (b) which do not exceed peaceful civilian requirements shall be deemed to be excluded from this definition.

III.—*Biological Weapons*

(a) A biological weapon is defined as any equipment or apparatus expressly designed to use, for military purposes, harmful insects or other living or dead organisms, or their toxic products.

(b) Subject to the provisions of paragraph (c), insects, organisms and their toxic products of such nature and in such amounts as to make them capable of being used in the equipment of apparatus referred to in (a) shall be deemed to be included in this definition.

(c) Such equipment or apparatus and such quantities of the insects, organisms and their toxic products as are referred to in paragraphs (a) and (b) which do not exceed peaceful civilian requirements shall be deemed to be excluded from the definition of biological weapons.

IV.—*Long-Range Missiles, Guided Missiles, and Influence Mines*

(a) Subject to the provisions of paragraph (d), long-range missiles and guided missiles are defined as missiles such that the velocity or direction of motion can be influenced after the instant of launch by a device or mechanism inside or outside the missile, including V-type weapons developed in the recent war and subsequent modifications thereof. Combustion is considered as mechanism which may influence the velocity.

(b) Subject to the provisions of paragraph (d), influence mines are defined as naval mines which can be exploded automatically by influences which emanate solely from external sources, including influence mines developed in the recent war and subsequent modifications thereof.

(c) Parts, devices or assemblies specially designed for use in or with weapons referred to in paragraphs (a) and (b) shall be deemed to be included in these definitions.

(d) Proximity fuses, and short-range guided missiles for anti-aircraft defence with the following maximum characteristics, are regarded as excluded from this definition:—

Length, 2 metres;
Diameter, 30 centimetres;
Velocity, 660 metres per second;
Ground range, 32 kilometres;
Weight of war-head, 22.5 kilogrammes.

V.—*Warships, with the exception of smaller ships for defence purposes*

“Warships, with the exception of smaller ships for defence purposes” are:—

(a) Warships of more than 3,000 tons displacement.

(b) Submarines of more than 350 tons displacement.

(c) All warships which are driven by means other than steam, Diesel or petrol engines or by gas turbines or by jet engines.

VI.—*Bomber aircraft for strategic purposes*

The closest possible co-operation with NATO shall be established in all fields.

III.—United States, United Kingdom and Canadian Assurances

The United States Secretary of State set forth the willingness of the United States to continue its support for European unity, in accordance with the following statement:—

“If, using the Brussels Treaty as a nucleus, it is possible to find in this new pattern a continuing hope of unity among the country of Europe that are represented here, and if the hopes that were tied into the European Defence Community Treaty can reasonably be transferred into the arrangements which will be the outgrowth of this meeting, then I would certainly be disposed to recommend to the President that he should renew the assurance offered last spring in connection with the European Defence Community Treaty to the effect that the United States will continue to maintain in Europe, including Germany, such units of its armed forces as may be necessary and appropriate to contribute its fair share of the forces needed for the joint defence of the North Atlantic area while a threat to the area exists and will continue to deploy such forces in accordance with agreed North Atlantic strategy for the defence of this area.”

The United Kingdom confirmed its active participation in the Brussels Treaty Organization and gave the following assurance about the maintenance of United Kingdom forces on the continent of Europe:—

“The United Kingdom will continue to maintain on the mainland of Europe, including Germany, the effective strength of the United Kingdom forces now assigned to SACEUR, four divisions and the Tactical Air Force, or whatever SACEUR regards as equivalent fighting capacity. The United Kingdom undertakes not to withdraw those forces against the wishes of the majority of the Brussels Treaty Powers, who should take their decision in the knowledge of SACEUR’s views.

This undertaking would be subject to the understanding that an acute overseas emergency might oblige Her Majesty’s Government to omit this procedure.

If the maintenance of United Kingdom forces on the mainland of Europe throws at any time too heavy a strain on the external finances of the United Kingdom, the United Kingdom will invite the North Atlantic Council to review the financial conditions on which the formations are maintained.”

Canada reaffirmed in the following statement its resolve to discharge the continuing obligations arising out of its membership in NATO and its support of the objective of European unity:—

As far as we are concerned, the North Atlantic Treaty Organization remains the focal point of our participation in collective defence and of our hope for the development of closer co-operation with the other peoples of the Atlantic community. As such, it remains a foundation of Canadian foreign policy. While we emphasize, then, our belief in the North Atlantic Treaty Organization, we welcome the proposed extension of the Brussels Treaty. We shall look forward to a growing relationship, within the framework of NATO, with the new Brussels Treaty Organization, composed of countries with whom we are already bound by such close ties.

IV.—North Atlantic Treaty Organization

The powers present at the Conference which are members of NATO agreed to recommend at the next ministerial meeting of the North Atlantic Council that the Federal Republic of Germany should forthwith be invited to become a member.

They further agreed to recommend to NATO that its machinery be reinforced in the following respects:—

- (a) All forces of NATO countries stationed on the Continent of Europe shall be placed under the authority of SACEUR, with the exception of those which NATO has recognized or will recognize as suitable to remain under national command.
- (b) Forces placed under SACEUR on the Continent shall be deployed in accordance with NATO strategy.
- (c) The location of such forces shall be determined by SACEUR after consultation and agreement with the national authorities concerned.
- (d) Such forces shall not be redeployed on the Continent nor used operationally on the Continent without his consent, subject to appropriate political guidance from the North Atlantic Council.
- (e) Forces placed under SACEUR on the Continent shall be integrated as far as possible consistent with military efficiency.
- (f) Arrangements shall be made for the closer co-ordination of logistics by SACEUR.
- (g) The level and effectiveness of forces placed under SACEUR on the Continent and the armaments and equipment, logistics, and reserve formations of those forces on the Continent shall be inspected by SACEUR.

The Conference recorded the view of all the governments represented that the North Atlantic Treaty should be regarded as of indefinite duration.

V.—Declaration by the Federal Government of Germany and Joint Declaration by the Government of France, United Kingdom and United States of America

The following declarations were recorded at the Conference by the German Federal Chancellor and by the Foreign Ministers of France, United Kingdom and United States of America:—

Declaration by Federal Republic of Germany

The Federal Republic of Germany has agreed to conduct its policy in accordance with the principles of the Charter of the United Nations and accepts the obligations set forth in Article 2 of the Charter.

Upon her accession to the North Atlantic Treaty and the Brussels Treaty, the Federal Republic of Germany declares that she will refrain from any action inconsistent with the strictly defensive character of the two treaties. In particular the Federal Republic of Germany undertakes never to have recourse to force to achieve the reunification of Germany or the modification of the present boundaries of the Federal Republic of Germany, and to resolve by peaceful means any disputes which may arise between the Federal Republic and other States.

Declaration by the Governments of United States of America, United Kingdom and France

The Governments of the United States of America, the United Kingdom of Great Britain and Northern Ireland and the French Republic,

Being resolved to devote their efforts to the strengthening of peace in accordance with the Charter of the United Nations and in particular with the obligations set forth in Article 2 of the Charter

- (i) to settle their international disputes by peaceful means in such a manner that international peace and security and justice are not endangered;
- (ii) to refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations;
- (iii) to give the United Nations every assistance in any action it takes in accordance with the Charter, and to refrain from giving assistance to any State against which the United Nations take preventive or enforcement action;
- (iv) to ensure that States which are not Members of the United Nations act in accordance with the principles of the Charter so far as may be necessary for the maintenance of international peace and security.

Having regard to the purely defensive character of the Atlantic Alliance which is manifest in the North Atlantic Treaty, wherein they reaffirm their faith in the purposes and principles of the Charter of the United Nations and their desire to live in peace with all peoples and all Governments, and undertake to settle their international disputes by peaceful means in accordance with the principles of the Charter and to refrain, in accordance with those principles, from the threat or use of force in their international relations.

Take note that the Federal Republic of Germany has by a Declaration dated the Third of October, Nineteen hundred and Fifty Four accepted the obligations set forth in Article 2 of the Charter of the United Nations and has undertaken never to have recourse to force to achieve the reunification of Germany or the modification of the present boundaries of the Federal Republic of Germany, and to resolve by peaceful means any disputes which may arise between the Federal Republic and other states:

DECLARE THAT

1. They consider the Government of the Federal Republic as the only German Government freely and legitimately constituted and therefore entitled to speak for Germany as the representative of the German people in international affairs.

2. In their relations with the Federal Republic they will follow the principles set out in Article 2 of the United Nations Charter.

3. A peace settlement for the whole of Germany, freely negotiated between Germany and her former enemies, which should lay the foundation of a lasting peace, remains an essential aim of their policy. The final determination of the boundaries of Germany must await such a settlement.

4. The achievement through peaceful means of a fully free and unified Germany remains a fundamental goal of their policy.

5. The security and welfare of Berlin and the maintenance of the position of the Three Powers there are regarded by the Three Powers as essential elements of the peace of the free world in the present international situation. Accordingly they will maintain armed forces within the territory of Berlin as long as their responsibilities require it. They therefore reaffirm that they will treat any attack against Berlin from any quarter as an attack upon their forces and themselves.

6. They will regard as a threat to their own peace and safety any recourse to force which in violation of the principles of the United Nations Charter threatens the integrity and unity of the Atlantic alliance or its defensive purposes. In the event of any such action, the three Governments, for their part, will consider the offending government as having forfeited its rights to any guarantee and any military assistance provided for in the North Atlantic Treaty and its protocols. They will act in accordance with Article 4 of the North Atlantic Treaty with a view to taking other measures which may be appropriate.

7. They will invite the association of other member States of the North Atlantic Treaty Organization with this Declaration.

VI.—Future Procedure

The Conference agreed that representatives of the governments concerned should work out urgently the texts of detailed agreements to give effect to the principles laid down above. These will be submitted, where appropriate, to the North Atlantic Council, and to the four Governments directly concerned with the future status of the Federal Republic. The Conference hoped that it would be possible to hold a ministerial meeting of the North Atlantic Council on the Twenty-second of October to decide on the arrangements affecting NATO. This will be preceded by meetings of the four Foreign Ministers on the question of German sovereignty and of the nine Foreign Ministers.

These agreements and arrangements constitute a notable contribution to world peace. A Western Europe is now emerging which, resting on the close association of the United Kingdom with the Continent and on the growing friendship between the participating countries, will reinforce the Atlantic community. The system elaborated by the Conference will further the development of European unity and integration.

The following documents are annexed to and form part of the Final Act:—

Draft Declaration and Draft Protocol to the Brussels Treaty.

Full text of statements by Mr. Dulles, Mr. Eden and Mr. Pearson at the Fourth Plenary Meeting on the Twenty-ninth of September.

Conference Paper on "A German defence contribution and arrangements to apply to SACEUR's forces on the Continent."

In witness whereof the Representatives have signed this Final Act.

Done in London this Third day of October, 1954, in a single copy, in English, French and German, all three texts being equally authoritative. The original texts will be deposited with the Government of the United Kingdom of Great Britain and Northern Ireland, which shall transmit certified copies thereof to each Government represented at the Conference.

For Belgium:

P. H. SPAAK.

For Canada:

L. B. PEARSON.

For the Federal Republic of Germany:

ADENAUER.

For France:

P. MENDÈS-FRANCE.

For Italy:

G. MARTINO.

For Luxembourg:

JOS. BECH.

For the Netherlands:

J. Q. BEYEN.

For the United Kingdom of Great Britain and Northern Ireland:

ANTHONY EDEN.

For the United States of America:

JOHN FOSTER DULLES.

ANNEX I

Draft Declaration Inviting Italy and the Federal Republic of Germany to Accede to the Brussels Treaty

The Governments of Belgium, France, Luxembourg, the Netherlands and the United Kingdom, parties to the Brussels Treaty of 17th March, 1948, for collaboration in economic, social and cultural matters and for legitimate collective self-defence;

Aware that the principles underlying the association created by the Brussels Treaty are also recognized and applied by the Federal Republic of Germany and Italy;

Noting with satisfaction that their devotion to peace and their allegiance to democratic institutions constitute common bonds between the countries of Western Europe;

Convinced that an association with the Federal Republic of Germany and Italy would represent a new and substantial advance in the direction already indicated by the Treaty;

Decide

In application of Article IX of the Treaty, to invite the Federal Republic of Germany and Italy to accede to the Brussels Treaty, as revised and completed by the Protocol and [list of agreements and documents]* of

Draft Protocol to the Brussels Treaty

His Majesty the King of the Belgians, the President of the French Republic, President of the French Union, Her Royal Highness the Grand Duchess of Luxembourg, Her Majesty the Queen of the Netherlands and Her Majesty the Queen of the United Kingdom of Great Britain and Northern Ireland and of her other Realms and Territories, Head of the Commonwealth, Parties to the Treaty of Economic, Social and Cultural Collaboration and Collective Self-defence, signed at Brussels on March 17th, 1948, hereinafter referred to as the Treaty, on the one hand,

and the President of the Federal Republic of Germany and the President of the Italian Republic on the other hand,

inspired by a common will to strengthen peace and security.

desirous to this end of promoting the unity and of encouraging the progressive integration of Europe,

convinced that the accession of the Federal Republic of Germany and the Italian Republic to the Treaty will represent a new and substantial advance towards these aims:

Have appointed, &c.

Have agreed as follows:—

ARTICLE I

The Federal Republic of Germany and the Italian Republic hereby accede to the Treaty, as revised and completed by the present Protocol and the [list of agreements and documents.*]

[These agreements and documents will be specified in the final text.]

ARTICLE II

(a) The sub-paragraph of the Preamble to the Treaty "to take such steps as may be held necessary in the event of renewal by Germany of a policy of aggression" shall be modified to read:—

"to promote the unity and to encourage the progressive integration of Europe."

(b) the following new article shall be inserted in the Treaty as Article IV:

"IV. In execution of the Treaty the High Contracting Parties and any organs established by them under the Treaty shall work in close co-operation with the North Atlantic Treaty Organization."

The present Article IV of the Treaty and the succeeding articles shall be renumbered accordingly.

(c) Article VIII, formerly Article VII, of the Treaty, shall read:—

"For the purpose of consulting together on all questions dealt with in the present Treaty and its Protocol and the agreements and other documents set out in Article I above and of strengthening peace and security and of promoting unity and of encouraging the progressive integration of Europe and closer co-operation between member states and with other European organizations, the High Contracting Parties will create a Council, which shall be so organized as to be able to exercise its functions continuously. The Council shall meet at such times as it shall deem fit.

At the request of any of the High Contracting Parties, the Council shall be immediately convened in order to permit the High Contracting Parties to consult with regard to any situation which may constitute a threat to peace, in whatever area this threat should arise, or with regard to any situation constituting a danger to economic stability."

ARTICLE III

The present Protocol and the agreements set out in Article I above shall be ratified and the instruments of ratification shall be deposited as soon as possible with the Belgian Government. They shall enter into force upon the date of deposit of the last instrument of ratification.

ANNEX II A

Extemporaneous Statement by the United States Secretary of State (the Hon. John Foster Dulles) at the Fourth Plenary Meeting

Mr. Chairman, at the time when we thought that the European Defence Community Treaty would promptly be put to a vote of the French Parliament—that was some time last Spring—the United States indicated that it would be prepared to make a declaration with respect to its intentions as to the maintenance of armed forces in Europe in the event that the European Defence Community Treaty should come into force. The text of that message was communicated to the six nations that were signatory to the European Defence Community Treaty, and also to the United Kingdom. The essence of that declaration was that the United States would continue to maintain in Europe, including Germany, such units of its armed forces as may be necessary to contribute its fair share of the forces needed for the joint defence of the North Atlantic area while the threat to that area exists, and that we would continue to maintain such forces in accordance with the agreed North Atlantic strategy for the defence of this area.

There were other provisions of that Declaration, in fact there were six, one of which related to treating the North Atlantic Treaty as a treaty of indefinite duration, rather than only for a fixed period of years.

I do not need, I think, to read the full text of that Declaration, because it has, as I say, been communicated to all of the Governments who are represented here. You doubtless are already familiar with, and can readily consult, the text which was sent to you at that time.

That Declaration was made, as I say, in anticipation of the coming into force of the European Defence Community Treaty. The Declaration was made after consultation with the leaders of both parties in the Congress of the United States. It would have been as solemn and definitive an obligation as the United States is constitutionally capable of making in this matter.

I should perhaps explain that under our constitutional system the President of the United States is Commander-in-Chief of the armed forces of the United States, and as such has the right to determine their disposition. That is a right which cannot be impaired by action by the Congress. Also, while Congress has no authority to deprive the President of his right as Commander-in-Chief of the armed forces to make such disposition of those forces as he believes to be in the interest of the security of the United States, it is equally the case that one President of the United States is not constitutionally able to bind his successors in this matter. Each President of the United States comes into office enjoying the right to dispose of the armed forces of the United States as he thinks best serves the interests of the United States in accordance with the advice which he gets from his military advisers. Therefore it is not constitutionally possible for the United States by treaty, by law or any other way to make a legally binding, fixed commitment to maintain any predetermined quota of armed forces in any particular part of the world for any particular period of time. It is nevertheless possible for the President to define a policy which in his opinion makes it appropriate to maintain certain elements of the armed forces of the United States in certain areas in pursuance of that policy. And if the policy is a basic and fundamental one it is extremely unlikely that that allocation of forces would be altered.

Now, this Declaration that I refer to was designed to involve an exercise, to the fullest degree possible under our constitutional system, of the determination of our Government to support the European Defence Community by contributing armed forces which would be subject to integration with its forces, and that declaration was made with the confidence that the policy that it reflected would be pursued because of the very great interest which the United States has in the creation of unity in Europe, and the fact that our nation has historically shown its willingness to make tremendous contributions if, in its opinion, that will aid in the real unification of Europe.

I might recall that the European Recovery Plan—the Marshall Plan as it was called—was made pursuant to a Congressional Act which said that the purpose was to promote the unification of Europe. The North Atlantic Treaty was an engagement which was quite unprecedented for the United States—it was quite unprecedented for the United States to make that kind of long range alliance with other countries. That was directly contrary to our earlier policies which had been pursued for over 100 years. That action was taken only after the European countries themselves had first come together under this Brussels Treaty which we are talking about so much today. It was the encouragement which came from that which very largely led to our going on and joining in the commitments of the North Atlantic Treaty.

The first action taken to provide military aid to Europe was under the Military Defence Assistance Act of 1949. The language of it was that it was designed to promote the integration of the defence of Europe. I think that the history of our action, both our positive and negative action, shows that we respond in many ways like a barometer to the climate which exists in Europe. If the climate is one of unity and cohesion, our assistance and aid of every kind goes out. If the climate is one of dissension, disunity, revival of threats of war, perpetuation of the cycle of recurrent war, then our tendency is to withdraw.

The declaration which we felt able to make in support of the European Defence Community was on the assumption that that was a permanent act which would tie together organically the countries of Europe which in the past have been separate and among whom war has been bred. We felt that it tied them together so permanently, so organically, that we could regard that old chapter as a closed chapter and could hopefully commit our strength to Europe in the confidence that our soldiers over here in Europe would be in a structure which was safe and sound; that we were not putting our troops in the midst of what has historically been the world's worst fire hazard.

Now a committal of that character is not lightly made, and I would say in all frankness that as the situation stands today it would not be possible for the President of the United States to renew that committal. There has been a great wave of disillusionment which has swept over the United States—and it is particularly manifest in the Congress—a great wave of disillusionment over what has happened, and a feeling that after all the situation in Europe is pretty hopeless and the United States had better not make any long-term committals to be part of it.

That conclusion is so disastrous in my opinion—both for the nations of Europe and for the United States—that I hope most ardently that what is done here will make it possible to come to a different conclusion, and that it will change the atmosphere, the feeling, in the United States to a degree which will permit of a renewal of the pledge by the United States to maintain in Europe such elements of its armed forces as may be necessary or appropriate to contribute our fair share of what is needed for the common defence of this North Atlantic area while the threat to that area exists. I cannot say at this moment that a renewal of that commitment is possible. I can say, and must

repeat, that as things stand today it is *not* possible. But if, out of the elements of the situation with which we are dealing, if using the Brussels Treaty as a nucleus, it is possible to find in this new pattern a continuing hope of unity among the countries of Europe that are represented here, and if the hopes that were tied into the European Defence Community Treaty can reasonably be transferred into the arrangements which will be the outgrowth of this meeting, then I would certainly be disposed to recommend to the President that he should renew a pledge comparable to that which was offered in connection with the European Defence Community Treaty.

Obviously the context of the pledge would have to be changed, because in the form which was given it related distinctively to the European Defence Community Treaty. Just what re-phrasing would be required to give it the "new look" that would be appropriate to the new situation, that is a matter which I have not studied, and which could not usefully be studied until we know whether or not a promise of genuine and durable unity will come out of the deliberations of this gathering and those which may succeed it.

That, Mr. Chairman, is as clear a statement as I can make today of the position of my Government in relation to this matter. We are extremely anxious to contribute all that we can from a material and constitutional standpoint to promote the kind of unification which will above all end a situation which has led to recurrent wars which have weakened and drained the Western nations so that our whole Western civilization is in jeopardy as never before in a thousand years. In reason you can count on us. I think that what we have done since the end of the war in terms of economic contribution, military contributions, the willingness to contribute our best and ablest brains in terms of both military and economic matters, all of that I think is a proof which cannot be challenged as to what our disposition is in this matter. You can be confident that that disposition will be reflected by genuine support to the extent that is appropriate if there is, on this side, the movement toward unity, if there is a beacon light still ahead, if we do not feel that we have come to a watershed where efforts toward unity finally are ended and we are going down on the other side into the abyss of continuing disunity.

I do not think that is going to happen. I know it is within our power here to be sure that it does not happen. If it does not happen, then you can count on the United States acting in support of what the European countries do. I believe that you will find that the American flag, with all it symbolizes, will continue to fly alongside of your own here in Europe.

ANNEX II B

Statement by the United Kingdom Secretary of State (the Right Hon. Anthony Eden, M.P.) at the Fourth Plenary Meeting

Gentlemen, I think we all feel that we have just listened to a statement from the United States Secretary of State of very rare quality and much valued frankness. What he has said to us, those of us who are European, is I think all that in present conditions we could possibly expect from the United States.

As we survey these post-war years we, I fear, too readily at times take for granted what this generous brother has done for us in Europe at a time when but for his help all must have collapsed in confusion and, perhaps, into Communism also. On behalf of the country I represent here, I would like to assure him that what the United States has done are not "All good deeds past, forgot as soon as done"—but will be remembered with thankfulness, and not for our own sakes alone. So I would like to tell Mr. Foster Dulles that the words he has said, so far as our Government are concerned, will be examined with gratitude and with understanding, and that we shall do our best—I believe this conference will do its best—to prove worthy of that greater confidence the United States will show as we establish our ability to prove our unity and our strength.

Now in all this I am conscious that my own country has a part to play. I do not want to go back over the full history of past declarations and past undertakings, though there are perhaps one or two that I ought to mention if the setting of what I want to say this afternoon is to be understood. We gave, as the United States Government gave, a series of undertakings to the EDC. We gave them by treaty, we gave them by agreement, we gave them by declarations, and as I have already informed my colleagues we stand by those undertakings, and we are ready to reaffirm them. They are not, I think, unimportant, but some of them are, it is true, inapplicable in the absence of EDC. Some of those that have as a result of the disappearance of EDC now disappeared may, and probably will, be covered by the proposals which this conference is now considering. The provision of automatic military assistance, for instance, which was contained in our treaty with EDC will be reproduced, I trust, by the proposed enlargement of the Brussels Treaty. Co-operation between the armed forces, the deployment and integration of those forces, consultation about the level of forces, will all now take place, though perhaps within a different framework.

I am very conscious, and so are my colleagues, that there is one particular plane on which many of you here would wish us to make our position clearer, and where if we were able to do so it might assist the work of this conference. This relates to the maintenance of British forces on the continent of Europe, and in respect of that I have a new proposal to put to my colleagues. The United Kingdom will continue to maintain on the mainland of Europe, including Germany, the effective strength of the United Kingdom forces now assigned to SACEUR—four divisions of the tactical Air Force—or whatever SACEUR regards as equivalent fighting capacity.

The United Kingdom undertakes not to withdraw those forces against the wishes of the majority of the Brussels Treaty Powers, who should take their decision in the knowledge of SACEUR's views. This undertaking would be

subject to the understanding that an acute overseas emergency might oblige Her Majesty's Government to omit this procedure. If the maintenance of United Kingdom forces on the mainland of Europe throws at any time too heavy a strain on the external finances of the United Kingdom, the United Kingdom will invite the North Atlantic Council to review the financial conditions on which the formations are maintained.

My colleagues will realize that what I have announced is for us a very formidable step to take. You all know that ours is above all an island story. We are still an island people in thought and tradition, whatever the modern facts of weapons and strategy may compel. And it has been not without considerable reflection that the Government which I represent here has decided that this statement could be made to you this afternoon. I want only to add this: we are making it in just the same spirit as Mr. Dulles spoke just now, because we hope that by doing so we shall make a contribution to enable this conference to succeed, and recreate confidence on this European Continent and make it possible for us to show an example of unity to the world. Of course, you will understand that what we have just said, and the undertaking we are prepared to give, does depend on the outcome of our work. If we succeed here then this undertaking stands; if we do not, Her Majesty's Government could not regard itself as committed to what I have said this afternoon. That applies to the whole of our work, all the work that we are doing here. So I can only conclude by saying I hope the conference will consider that what we have said will be a contribution to bring us at least a stage nearer the successful conclusion of our labours.

ANNEX II C

Statement by the Canadian Minister for External Affairs (The Hon. Lester Pearson) at the Fourth Plenary Meeting

Mr. Chairman, this item on the agenda, which I apologize for returning to, item 5, is headed "United Kingdom and United States Declarations", I assume that under it I would be quite in order in expressing great appreciation for the statements which have been made by you and by Mr. Dulles this afternoon, and I hope I would not be ruled out of order if I make a short declaration on behalf of my own country.

Your statement, Mr. Chairman, if I may say so, was one of historic importance. If it is thought, as it sometimes is, that the United Kingdom looks across the Channel more intensely in war than in peace-time, that feeling certainly must have been removed by your statement earlier this afternoon. To me it was all the more impressive because I recognize that the source of the power and the glory of this island has been its vision across the seas.

The statement of Mr. Dulles was also important, not only for the development of European unity, but for that larger Atlantic community development with which we are all concerned. Indeed, as I see it, European unity cannot be effectively secured unless the lines not only across the Channel but across the Atlantic are strong and unbroken. My country has a part to play in this Atlantic aspect of the problem. Therefore, we accept the continuing obligations arising out of our membership of the North Atlantic Treaty Organization, and we are resolved to continue to do our best to discharge them. The disappearance of EDC does not, we think, affect those obligations, because EDC—though we were indeed disappointed in its disappearance—because EDC, as we saw it, was a means to an end and not an end in itself. We are here to find an alternative method of accomplish the same purpose. That alternative method, that alternative arrangement, must include the association of Germany not only with the defence of Europe and the West, but—and this is, I am sure, equally important—with the development of the Atlantic community; an association to be brought about in such a way that the fears that we have inherited from the unhappy past will be replaced by a new and better hope for the future.

So new methods are being discussed this week and new solutions are being sought. As far as we are concerned, however, the North Atlantic Treaty Organization remains the focal point of our participation in collective defence and of our hope for the development of closer co-operation with the other peoples of the Atlantic community. As such, it remains a foundation of Canadian foreign policy. Indeed, enduring and whole-hearted support for NATO is for us a policy above politics on which I think our friends can rely.

That support in defence matters is now worked out each year by consultation through the appropriate agencies of our organization—that is, NATO. Apart from mutual aid, it now takes the form of naval forces, an infantry brigade group, and an air division of twelve jet fighter squadrons stationed in Europe. We will continue to assist in the common defence through the existing NATO procedures until better ones are agreed on. The presence of these Canadian forces on the European continent is not only a measure of our military contribution to the common defence, but an evidence of our belief in the future of the North Atlantic community.

While we emphasize, then, our belief in the North Atlantic Treaty Organization, we welcome the proposed extension of the Brussels Treaty. We shall look forward to a growing relationship within the framework of NATO to the Brussels Treaty countries with whom we are bound by such close ties.

We are sure, and I hope our confidence will be realized—I know it will—that these new arrangements through Brussels can be developed without weakening or diminishing NATO in any way in its essential functions, because NATO, with Germany associated with it under agreed arrangements, should, we think, be a stronger force than ever against war, and for the progressive development of the Atlantic community.

We are also certain, Mr. Chairman, that in this development the United States, which has played such a magnificent, generous and indeed essential part, will continue to be able to do so. Mr. Dulles has given us hope in that regard this afternoon.

We Canadians, being neighbours of the United States, know as well as anybody else, that that country does not fail to accept and to meet, successfully, any great international challenge which faces it. We are certain that in the days ahead it will continue to meet the challenge of assisting in the development of European unity and the Atlantic community—and the two go together.

The work, then, which we are doing this week must, in order to succeed, make possible the continued contribution of the United States to these great objectives. If that is done, and I know it is going to be done, it will also, I assure you, make it much easier for my own country to continue to do its share.

ANNEX III

Conference Paper on "A German Defence Contribution and Arrangements to apply to SACEUR's Forces on the Continent"

The nine Governments represented at the London Conference agree to instruct representatives to draw up in Paris, in concert with the military and civilian agencies of NATO through the Secretary-General, detailed proposals, for approval by the North Atlantic Council, for a German defence contribution and arrangements to be applied to SACEUR's forces on the Continent. These detailed proposals shall be based on the following principles agreed between the nine Governments:—

1. (a) The seven Brussels Treaty Powers will conclude a special agreement setting out the forces each of them will place under SACEUR on the Continent.
(b) The German contribution shall conform in size and general characteristics to the contribution fixed for the EDC brought up to date and adapted as necessary to make it suitable for NATO.
(c) The terms of this special agreement will be agreed with the other NATO countries.
(d) If at any time the NATO Annual Review recommends an increase above the figures in the Brussels Special Agreement such increase will require the unanimous approval of the Brussels powers expressed in the Brussels Council or in NATO.
(e) The Brussels Powers will ask that arrangements be made for SACEUR to designate a high-ranking officer who will be instructed to transmit regularly to the Brussels Treaty Organization information acquired as indicated in 3 (f) below in order to permit that Organization to establish that the figures agreed among the Brussels Powers are being observed.
2. All forces of NATO countries stationed on the Continent of Europe shall be placed under the authority of SACEUR, with the exception of the forces which NATO has recognized or will recognize as suitable to remain under national command. The strength and armaments on the Continent of the internal defence forces and of the police belonging to the members of the Brussels Treaty Organization shall be fixed by agreements made within this Organization, taking into account the task for which they are intended and on the basis of existing levels and needs.
3. *Arrangements to apply to SACEUR's forces*
(a) Forces placed under SACEUR on the Continent shall be deployed in accordance with NATO strategy.
(b) The location of such forces shall be determined by SACEUR after consultation and agreement with the national authorities concerned.
(c) Such forces shall not be redeployed on the Continent nor used operationally on the Continent without his consent subject to appropriate political guidance from the North Atlantic Council.

- (d) Forces placed under SACEUR on the Continent shall be integrated as far as possible consistent with military efficiency.
- (e) Arrangements shall be made for the closer co-ordination of logistics by SACEUR.
- (f) The level and effectiveness of forces placed under SACEUR on the Continent and the armaments, equipment, logistics and reserve formations of those forces on the Continent shall be inspected by SACEUR.

II.—PARIS DOCUMENTS RELATING TO THE NORTH ATLANTIC TREATY ORGANIZATION

Protocol to the North Atlantic Treaty on the Accession of the Federal Republic of Germany

The Parties to the North Atlantic Treaty signed at Washington on 4th April, 1949,

Being satisfied that the security of the North Atlantic area will be enhanced by the accession of the Federal Republic of Germany to that Treaty, and

Having noted that the Federal Republic of Germany has by a declaration dated 3rd October, 1954, accepted the obligations set forth in Article 2 of the Charter of the United Nations and has undertaken upon its accession to the North Atlantic Treaty to refrain from any action inconsistent with the strictly defensive character of that Treaty, and

Having further noted that all member governments have associated themselves with the declaration also made on 3rd October, 1954, by the Governments of the United States of America, the United Kingdom of Great Britain and Northern Ireland and the French Republic in connection with the aforesaid declaration of the Federal Republic of Germany,

Agree as follows:

ARTICLE I

Upon the entry into force of the present Protocol, the Government of the United States of America shall on behalf of all the Parties communicate to the Government of the Federal Republic of Germany an invitation to accede to the North Atlantic Treaty. Thereafter the Federal Republic of Germany shall become a Party to that Treaty on the date when it deposits its instruments of accession with the Government of the United States of America in accordance with Article 10 of that Treaty.

ARTICLE II

The present Protocol shall enter into force, when (a) each of the Parties to the North Atlantic Treaty has notified to the Government of the United States of America its acceptance thereof, (b) all instruments of ratification of the Protocol Modifying and Completing the Brussels Treaty have been deposited with the Belgian Government, and (c) all instruments of ratification or approval of the Convention on the Presence of Foreign Forces in the Federal Republic of Germany have been deposited with the Government of the Federal Republic of Germany. The Government of the United States of America shall inform the other Parties to the North Atlantic Treaty of the date of the receipt of each notification of acceptance of the present Protocol and of the date of the entry into force of the present Protocol.

ARTICLE III

The present Protocol, of which the English and French texts are equally authentic, shall be deposited in the archives of the Government of the United States of America. Duly certified copies thereof shall be transmitted by that Government to the Governments of the other Parties to the North Atlantic Treaty.

In witness whereof, the undersigned Representatives, duly authorized thereto by their respective Governments, have signed the present Protocol.

Signed at Paris

the twenty-third day of October nineteen hundred and fifty four.

For Belgium:

P. H. SPAAK.

For Canada:

L. B. PEARSON.

For Denmark:

H. C. HENSEN.

For France:

P. MENDÈS-FRANCE.

For Greece:

S. STEPHANOPOULOS.

For Iceland:

KRISTINN GUDMUNDSSON.

For Italy:

G. MARTINO.

For Luxembourg:

JOS. BECH.

For the Netherlands:

J. W. BEYEN.

For Norway:

HALVARD LANGE.

For Portugal:

PAULO CUNHA.

For Turkey:

F. KÖPRÜLÜ.

For the United Kingdom of Great Britain and Northern Ireland:

ANTHONY EDEN.

For the United States of America:

JOHN FOSTER DULLES.

Resolution to Implement Section IV of the Final Act of the London Conference

THE NORTH ATLANTIC COUNCIL:

1. Recognizing the necessity of strengthening the structure of the North Atlantic Treaty Organization and of reinforcing the machinery for the collective defence of Europe, and desirous of specifying the conditions governing joint examination of the defence effort of member countries,

2. Recalls that:

(a) the resources which member nations intend to devote to their defence effort as well as the level, composition and quality of the forces which the member nations are contributing to the defence of the North Atlantic area are

each year subject to collective examination in the NATO Annual Review for the purpose of reaching agreement on force goals, taking into account expected mutual aid;

(b) the defence expenditures incurred by the member nations and the extent to which the recommendations emerging from the Annual Review have been carried out are the subject of periodical review during the year.

3. Agrees with the terms of the Agreement on Forces of Western European Union; and that with respect to the forces which the members of Western European Union will place under NATO Command on the mainland of Europe and for which maximum figures have been established in that Agreement, if at any time during the NATO Annual Review recommendations are put forward, the effect of which would be to increase the level of forces above the limits established in this Agreement, the acceptance by the country concerned of such recommended increases shall be subject to unanimous approval by the members of Western European Union, expressed either in the Council of Western European Union or in the North Atlantic Treaty Organization.

4. Decides that all forces of member nations stationed in the area of the Allied Command Europe shall be placed under the authority of the Supreme Allied Commander Europe or other appropriate NATO Command and under the direction of the NATO military authorities, with the exception of those forces intended for the defence of overseas territories and other forces which the North Atlantic Treaty Organization has recognized or will recognize as suitable to remain under national command.

5. Invites member nations to make an initial report for consideration and recognition by the Council on those forces which they plan to maintain within the area of Allied Command Europe for the common defence, but not to place under the authority of the North Atlantic Treaty Organization, taking into account the provisions of relevant NATO directives bearing on that subject; the initial report will include a broad statement of the reason for which the above forces are not so placed. Thereafter, if any changes are proposed, the North Atlantic Council action on the NATO Annual Review will constitute recognition as to the authority and size of forces to be placed under the authority of the appropriate NATO Command and those to be retained under national command.

6. Notes that the agreements concluded within the framework of the Organization of Western European Union on the internal defence and police forces which the members of that Organization will maintain on the mainland shall be notified to the North Atlantic Council.

7. Agrees, in the interest of most effective collective defence, that in respect of combat forces in the area of Allied Command Europe and under the Supreme Allied Commander Europe.

(a) all deployments shall be in accordance with NATO strategy;

(b) the location of forces in accordance with NATO operational plans shall be determined by the Supreme Allied Commander Europe after consultation and agreement with the national authorities concerned;

(c) forces under the Supreme Allied Commander Europe and within the area of Allied Command Europe shall not be redeployed or used operationally within that area without the consent of the Supreme Allied Commander Europe, subject to political guidance furnished by the North Atlantic Council, when appropriate, through normal channels.

8. *Decides That:*

(a) integration of forces at Army Group and Tactical Air Force level shall be maintained;

(b) in view of the powerful combat support units and logistic support organization at Army level, integration at that level and associated Air Force level will be the rule, wherever formations of several nationalities are operating in the same area and on a common task, provided there are no overriding objections from the point of view of military effectiveness;

(c) wherever military efficiency permits, in light of the size, location and logistic support of forces, integration at lower levels, both in the land and air forces, shall be achieved to the maximum extent possible;

(d) proposals to the North Atlantic Council, indicating any increases in commonly financed items of expenditure, such as infrastructure which might be entailed by the adoption of such measures, should be submitted by the NATO military authorities.

9. *Agrees that, in order to improve the capability of the Supreme Allied Commander Europe to discharge his responsibilities in the defence of Allied Command Europe, his responsibilities and powers for the logistic support of the forces placed under his authority shall be extended.*

10. *Considers that these increased responsibilities and powers should include authority:*

(a) to establish, in consultation with the national authorities concerned, requirements for the provision of logistic resources;*

(b) to determine, in agreement with the national authorities concerned, their geographic distribution;

(c) to establish, in consultation with these authorities, logistic priorities for the raising, equipping and maintenance of units;

(d) to direct the utilization, for meeting his requirements, of those portions of the logistic support systems made available to him by the appropriate authorities;

(e) to co-ordinate and supervise the use, for logistical purposes, of NATO common infrastructure facilities and of those national facilities made available to him by the national authorities.

11. *Agrees that, in order to ensure that adequate information is obtained and made available to the appropriate authorities about the forces placed under the Supreme Allied Commander Europe including reserve formations and their logistic support within the area of Allied Command Europe, the Supreme Allied Commander Europe shall be granted increased authority to call for reports regarding the level and effectiveness of such forces and their armaments, equipment and supplies as well as the organization and location of their logistic arrangements. He shall also make field inspections within that area as necessary.*

12. *Invites nations to submit to the Supreme Allied Commander Europe such reports to this end as he may call for from time to time; and to assist inspection within the area of Allied Command Europe by the Supreme Allied Commander Europe of these forces and their logistic support arrangements as necessary.*

*By logistic resources should be understood all the materiel, supplies, installations and parts thereof necessary for the prolonged conduct of combat operations.

13. Confirms that the powers exercised by the Supreme Allied Commander Europe in peacetime extend not only to the organization into an effective integrated force of the forces placed under him but also to their training; that in this field, the Supreme Allied Commander Europe has direct control over the higher training of all national forces assigned to his command in peacetime; and that he should receive facilities from member nations to inspect the training of those cadre and other forces within the area of Allied Command Europe earmarked for that Command.

14. Directs that NATO military authorities to arrange for the designation by the Supreme Allied Commander Europe of a high-ranking officer of his Command who will be authorized to transmit regularly to the Council of Western European Union information relating to the forces of the members of Western European Union on the mainland of Europe acquired as a result of the reports and inspections mentioned in paragraphs 11 and 12 in order to enable that Council to establish that the limits laid down in the special agreement mentioned in paragraph 3 above are being observed.

15. Agrees that the expression "the area of Allied Command Europe" as used throughout this resolution shall not include North Africa; and that this Resolution does not alter the present status of the United Kingdom and United States forces in the Mediterranean.

16. Directs the NATO Military Committee to initiate the necessary changes in the directives to give effect to the above policies and objectives of the North Atlantic Council.

Resolution on Results of the Four and Nine Power Meetings

THE NORTH ATLANTIC COUNCIL:

Recognizing that all the arrangements arising out of the London Conference form part of one general settlement which is directly or indirectly of concern to all the NATO Powers and has therefore been submitted to the Council for information or decision;

Have learnt with satisfaction of the arrangements agreed between the Governments of France, the United Kingdom and the United States of America and of the Federal Republic of Germany for the termination of the occupation régime in the Federal Republic as set forth in the Protocol communicated to the Council;

Welcome the decision of the Brussels Treaty Powers to invite the Federal Republic of Germany and Italy to accede to the Brussels Treaty as modified and completed by the Protocols and other documents communicated to the Council, and hereby record their agreement with the provisions of those Protocols and documents insofar as they concern action by the North Atlantic Treaty Organization;

Welcome the extension of the Brussels Treaty as an important step toward the achievement of European unity; and express confidence that there will be the closest co-operation between the Western European Union and the North Atlantic Treaty Organization which remains the foundation of the security and progress of the Atlantic community.

Take Note with satisfaction of the statements made on 29th September 1954 in London by the United States Secretary of State and the Canadian Secretary of State for External Affairs, and of the declaration by the Foreign Secretary

of the United Kingdom concerning the maintenance of United Kingdom forces on the continent of Europe;

Finally,

Record their deep satisfaction at the happy conclusion of all the above arrangements which together constitute a decisive step in fortifying the North Atlantic Alliance and uniting the Free World.

Resolution of Association

THE NORTH ATLANTIC COUNCIL:

Welcoming the declaration made in London by the Government of the Federal Republic of Germany on 3rd October, 1954⁽¹⁾, and the related declaration made on the same occasion by the Governments of the United States of America, the United Kingdom of Great Britain and Northern Ireland and the French Republic⁽¹⁾,

Notes With Satisfaction that the representatives of the other Parties to the North Atlantic Treaty have, on behalf of their Governments, today associated themselves with the aforesaid declaration of the Three Powers.

⁽¹⁾ For text see Section V of the Final Act of the Nine-Power Conference held in London.

ANNEX A

Text of Statement of Association by Mr. Pearson at the Ministerial Meeting of the North Atlantic Council, October 22, 1954

Mr. Chairman, my Government welcomes the farsighted and valuable declaration of the Three Powers at the London Conference with regard to the future of Germany and the security and welfare of Berlin. The discharge by the Three Powers of their special responsibilities in this matter represents, I think, an important contribution to peace and security; and we should be grateful to them for that.

My own Government is not in a position to share in all those special responsibilities which flow from the Potsdam Agreement, but it fully endorses and associates itself with the declaration which has been made; and we will do what we can, or should, to ensure that the objectives behind the declaration, to which we subscribe, are realized.

III.—PARIS DOCUMENTS RELATING TO THE WESTERN EUROPEAN UNION

In accordance with the Final Act of the London Conference, the Governments of Belgium, France, Luxembourg, the Netherlands, and the United Kingdom, parties to the Brussels Treaty of 1948, issued in Paris on October 23, 1954, a declaration inviting the Federal Republic of Germany and Italy to accede to the Brussels Treaty. They also signed on the same day the following protocols to the Brussels Treaty to implement the arrangements described in Section II of the Final Act of the London Conference:

Protocol No. I modifying and completing the Brussels Treaty to create a new organization to be called Western European Union

Protocol No. II on the forces of Western European Union

Protocol No. III on the control of armaments

Protocol No. IV on the agency of Western European Union for the control of armaments.

The texts of these protocols are not given here, as they merely elaborate in greater detail the agreement embodied in Section II of the Final Act of the London Conference.

In addition, the Nine-Power Conference held in Paris on October 21, 1954, adopted the following resolution on the production and standardization of armaments:

The Governments of the Kingdom of Belgium, the French Republic, the Federal Republic of Germany, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, and the United Kingdom of Great Britain and Northern Ireland,

Anxious to increase the effectiveness of their common Defence forces to the maximum,

Desirous of ensuring the best possible use of their available armament credits by means of the rational organization of production,

Noting the importance in this connection of standardizing weapons and weapon components,

Desirous of facilitating any agreements to this end between all or certain of the Seven Powers:

(1) Recall the decision taken at the London Conference to set up a Working Party to study the draft directives submitted by the French Government on 1st October 1954 and such other documents as might subsequently be submitted on the problem of the production and standardization of armaments.

(2) Agree to convene a Working Group in Paris on the 17th January 1955 of the Representatives of Belgium, France, Italy, Luxembourg, the Netherlands, the Federal Republic of Germany and the United Kingdom, to study the draft directives and other documents referred to in the foregoing paragraph, with a view to submitting proposals to the Council of Western European union when it comes into being.

IV.—PARIS DOCUMENTS RELATING TO THE TERMINATION OF THE OCCUPATION REGIME IN THE FEDERAL REPUBLIC OF GERMANY

Convention on the Presence of Foreign Forces in the Federal Republic of Germany

In view of the present international situation and the need to ensure the defence of the free world which require the continuing presence of foreign forces in the Federal Republic of Germany, the United States of America, the United Kingdom of Great Britain and Northern Ireland, the French Republic and the Federal Republic of Germany agree as follows:

ARTICLE 1

1. From the entry into force of the arrangements for the German Defence Contribution, forces of the same nationality and effective strength as at that time may be stationed in the Federal Republic.

2. The effective strength of the forces stationed in the Federal Republic of Germany pursuant to paragraph 1 of this Article may at any time be increased with the consent of the Government of the Federal Republic.

3. Additional forces of the States parties in the present Convention may enter and remain in the Federal territory with the consent of the Government of the Federal Republic for training purposes in accordance with the procedures applicable to forces assigned to the Supreme Allied Commander Europe, provided that such forces do not remain there for more than thirty days at any one time.

4. The Federal Republic grants to the French, the United Kingdom and the United States forces the right to enter, pass through, and depart from the territory of the Federal Republic in transit to or from Austria (so long as their forces continue to be stationed there) or any country Member of the North Atlantic Treaty Organization, on the same basis as is usual between Parties to the North Atlantic Treaty or as may be agreed with effect for all Member States by the North Atlantic Council.

ARTICLE 2

The present Convention shall be open to accession by any State not a Signatory, which had forces stationed in the Federal territory on the date of the signature of the Protocol on the Termination of the Occupation Régime in the Federal Republic of Germany signed at Paris on 23rd October, 1954. Any such State, desiring to accede to the present Convention, may deposit with the Government of the Federal Republic an Instrument of Accession.

ARTICLE 3

1. The present Convention shall expire with the conclusion of a German peace settlement or, if at an earlier time the Signatory States agree that the development of the international situation justifies new arrangements.

2. The Signatory States will review the terms of the present Convention at the same time and subject to the same conditions as provided for in Article 10 of the Convention on Relations between the Three Powers and the Federal Republic of Germany.

ARTICLE 4

1. The present Convention shall be ratified or approved by the Signatory States and Instruments of Ratification or Approval shall be deposited by them with the Government of the Federal Republic of Germany which shall notify each Signatory State of the deposit of each Instrument of Ratification or Approval. The present Convention shall enter into force when all the Signatory States have made such deposit and the Instrument of Accession of the Federal Republic of Germany to the North Atlantic Treaty has been deposited with the Government of the United States of America.

2. It shall also enter into force on that date as to any acceding State which has previously deposited an Instrument of Accession in accordance with Article 2 of the present Convention and, as to any other acceding State, on the date of the deposit by it of such an Instrument.

3. The present Convention shall be deposited in the Archives of the Government of the Federal Republic of Germany, which will furnish each State party to the present Convention with certified copies thereof and of the Instruments of Accession deposited in accordance with Article 2 and will notify each State of the date of the entry into force of the present Convention and the date of the deposit of any Instrument of Accession.

In Faith Whereof the undersigned Representatives duly authorized there have signed the present Convention.

Done at Paris this 23rd day of October, 1954, in three texts, in the English, French and German languages, all being equally authentic.

For the United States of America:

JOHN FOSTER DULLES

*For the United Kingdom of Great Britain
and Northern Ireland:*

ANTHONY EDEN

For the French Republic:

P. MENDÈS-FRANCE

For the Federal Republic of Germany:

ADENAUER

Protocol on the Termination of the Occupation Régime in the Federal Republic of Germany

The United States of America, the United Kingdom of Great Britain and Northern Ireland, the French Republic and the Federal Republic of Germany agree as follows:

ARTICLE 1

The Convention on Relations between the Three Powers and the Federal Republic of Germany, the Convention on the Rights and Obligations of Foreign Forces and their Members in the Federal Republic of Germany, the Finance Convention, the Convention on the Settlement of Matters arising out of the War and the Occupation, signed at Bonn on 26 May 1952, the Protocol signed at Bonn on 27 June 1952 to correct certain textual errors in the aforementioned Conventions, and the Agreement on the Tax Treatment of the Forces and their Members signed at Bonn on 26 May 1952, as amended by the Protocol signed at Bonn on 26 July 1952, shall be amended in accordance with the five Schedules to the present Protocol and as so amended shall enter into force (together with subsidiary documents agreed by the Signatory States relating to any of the aforementioned instruments) simultaneously with it.

ARTICLE 2

Pending the entry into force of the arrangements for the German Defence Contribution, the following provisions shall apply:

- (1) The rights heretofore held or exercised by the United States of America, the United Kingdom of Great Britain and Northern Ireland and the French Republic relating to the fields of disarmament and demilitarization shall be retained and exercised by them, and nothing in any of the instruments mentioned in Article 1 of the present Protocol shall authorize the enactment, amendment, repeal or deprivation of effect of legislation or, subject to the provisions of paragraph (2) of this Article, executive action in those fields by any other authority.
- (2) On the entry into force of the present Protocol, the Military Security Board shall be abolished (without prejudice to the validity of any action or decisions taken by it) and the controls in the fields of disarmament and demilitarization shall thereafter be applied by a Joint Four-Power Organization to which each of the Signatory States shall appoint one representative and which shall take its decisions by majority vote of the four members.
- (3) The Governments of the Signatory States will conclude an administrative agreement which shall provide, in conformity with the provisions of this Article, for the establishment of the Joint Four-Power Commission and its staff and for the organization of its work.

ARTICLE 3

- (1) The present Protocol shall be ratified or approved by the Signatory States in accordance with their respective constitutional procedures. The Instruments of Ratification or Approval shall be deposited by the Signatory States with the Government of the Federal Republic of Germany.
- (2) The present Protocol and subsidiary documents relating to it agreed between the Signatory States shall enter into force upon the deposit by all the Signatory States of the Instruments of Ratification or Approval as provided in paragraph 1 of this Article.
- (3) The present Protocol shall be deposited in the Archives of the Government of the Federal Republic of Germany, which will furnish each Signatory State with certified copies thereof and notify each State of the date of entry into force of the present Protocol.

In Faith Whereof the undersigned Representatives duly authorized thereto have signed the present Protocol.

Done at Paris this 23rd day of October, 1954, in three texts, in the English, French and German languages, all being equally authentic.

For the United States of America:

JOHN FOSTER DULLES

For the United Kingdom of Great Britain and Northern Ireland:

ANTHONY EDEN

For the French Republic:

P. MENDÈS-FRANCE

For the Federal Republic of Germany:

ADENAUER

Résumé of the Five Schedules Attached to the Protocol on the Termination of the Occupation Régime

Schedule I

This Schedule amends the former "Convention on Relations between the Three Powers and the Federal Republic of Germany". The introductory words have changed since 1952 from "the three Occupying Powers" to a list of the four Powers who have "entered into the following Convention setting forth the basis of their new relationship".

Article 1 of the Schedule states that the three Powers will terminate the Occupation régime in Western Germany, revoke the Occupation Statute, and abolish the offices of the *Land* Commissioners. The Federal Republic is accorded "the full authority of a sovereign State over its internal and external affairs".

Article 2 lays down that the Three Powers retain their rights "relating to Berlin and to Germany as a whole, including the reunification of Germany and a peace settlement".

In the original Convention, Article 2 had included in these reservations, the right to station troops in Germany. Under the new arrangements, allied troops will remain in Germany as at present "pending the entry into force of the arrangements for the German defence contribution" and, after that, remain with the consent of the Federal Government. Their position is covered in a separate convention, the text of which is given below. Thus, the new status of the Federal Republic is taken into consideration without jeopardizing the rights of the three Powers in Berlin.

Articles 4 and 5 deal with the responsibilities obtained by the three Powers relating to the stationing of armed forces in Germany and the protection of their security. The Convention states that, after the coming into force of the German defence contribution, "the forces of the same nationality and effective strength as at that time may be stationed in the Federal Republic." The Convention is open to any State which is not a signatory but which had forces stationed in Germany on October 23, 1954—i.e. Belgium, the Netherlands, Canada, Luxembourg and Denmark. The Convention is to expire "with the conclusion of a German peace settlement or if at an earlier time the signatory States agree that the development of the international situation justifies new arrangements".

With regard to the protection of the security of allied forces in Germany, allied rights "shall lapse when the appropriate German authorities have obtained similar powers under German legislation enabling them to take effective action to protect the security of those forces, including the ability to deal with a serious disturbance of public security and order."

Article 10 of the Schedule sets out the terms under which the Convention may be reviewed; they are:

(a) "Upon request of any one of them, in the event of the reunification of Germany, or an international understanding being reached with the participation or consent on steps towards bringing about the reunification of Germany, or the creation of a European federation".

(b) "In any situation which all the signatory States recognize has resulted from a change of a fundamental character in the conditions prevailing at the time of the entry into force of the present convention".

Schedules II and III

Schedule II amends the Convention on the Rights and Obligations of foreign forces and their members in the Federal Republic. The third Schedule brings up to date the Finance Convention. The German Government will provide a monthly average contribution of 600m. marks for the support of the allied forces from the entry of the Convention into force until the arrangements for the German defence contribution are completed. These provisions apply only until June 30, 1955. During the first year of the German defence contribution, the Federal Republic will make available a total amount of 3,200m. marks for the support of the allied forces.

Schedules IV and V

Schedule IV amends the Convention "on the Settlement of Matters arising out of the war and the occupation". It makes clear that existing programmes of de-centralization will be completed. Legislation concerning the reorganization of the German coalmining, iron and steel industries being applied at the time of the entry into force of the present arrangements "shall be maintained in force insofar and so long as de-concentration measures ordered before that date are still to be carried out or claimants are still to be protected."

Article 10 sets up a mixed committee of experts whose task is defined as the consideration of "applications for extensions of the final time for the disposition of securities required by regulations or orders of the Allied High Commission or its subordinate bodies or by reason of the terms of a plan approved by any such order".

The eight-line Schedule V makes three alterations in the "Agreement on the Tax Treatment of the forces and their members", in the original Bonn Agreement.

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